



City of Santa Clara

The Center of What's Possible

Lobbyist Ordinance

FAQs

1. Who is a lobbyist?

- Contract Lobbyists – Persons who engage in lobbying on behalf of clients and who have received or have entered into an agreement for compensation of one thousand dollars (\$1,000) or more (“threshold compensation”) for engaging in lobbying during any consecutive three (3) month period
- Organization Lobbyists – Any business or organization, whose owner(s), officer(s) or employee(s) carry out lobbying on its behalf, in an aggregate amount of ten (10) hours or more within any consecutive twelve (12) month period, whether or not such officers or employees are specifically compensated to engage in lobbying; provided, that the activities of officers shall be considered lobbying only if those officers receive compensation by the business or organization beyond reimbursement for their reasonable travel, meals or incidental expenses
- Expenditure Lobbyists – Persons who make payments or incur expenditures of five thousand dollars (\$5,000) or more during any calendar year in connection with carrying out public relations, advertising or similar activities with the intent of soliciting other persons to communicate directly with any City official in order to attempt to influence legislative or administration action

2. Who is not a lobbyist?

- Public officials acting in his or her official capacity or acting within the scope of his or her employment or appointment
- Members of the media
- Persons reimbursed for only their reasonable travel, meals or incidental expenses, including uncompensated members or directors of nonprofit organizations
- Persons whose communications regarding any legislative or administrative action are limited to appearing or submitting testimony at any public meeting held by the City
- Persons submitting bids or responding to requests for proposals
- Persons providing oral or written information pursuant to a subpoena or otherwise compelled by law or regulations, or in response to an official
- Designated representatives of employee organizations whose activities are limited to communicating with City officials or their representatives regarding wages, hours and other terms or conditions of employment, administration, implementation or interpretation of an existing employment agreement
- Persons who are professionally licensed by a state licensing organization, including, but not limited, to attorneys, architects and engineers, so long as their services are related solely to the practice of their profession
- Board members or employees of nonprofit 501(c)(3) corporations, unless the nonprofit organization is lobbying for a specific project
- Members of neighborhood associations

3. What are registration requirements?

The initial registration must contain business information, clients or organizations represented and payments received. The registration must be updated with every new client or any change(s) to the lobbyist's registration information. Lobbyists must register with the City Clerk within fifteen (15) days after qualifying as a lobbyist. Should a lobbyist have a change to his or her registration information, including, but not limited to, the legislative or administrative action for the City to which the lobbyist has been engaged, after the annual registration period, such lobbyist must file an amended registration with the City Clerk within fifteen (15) days of such change with the changed information.

4. Are lobbyists required to file periodic reports?

Lobbyists are required to file semi-annual reports by January 15th and July 15th.

5. What are the fees?

- Registration Fee – \$523.00
 - Prorated fee for first time registrations after June 30th of \$261.00
 - Amended registration fee – \$97.00
 - Late registration fee - \$25.00 per day with a maximum of \$500.00 penalty

Registration fees are reviewed at the end of each fiscal year and are adjusted if necessary.

6. Does a lobbyist have to identify himself or herself and client at City meetings?

Yes. The ordinance requires lobbyists to identify themselves as such and disclose the client(s) and/or organization(s) that he or she represents at any meetings held with City staff, City officials and public meetings.

7. What are the repercussions of a Lobbyist Ordinance violation?

Violations may be prosecuted as misdemeanors by the City Attorney's Office. Violators may also be restricted from lobbying in Santa Clara for a year.

8. Can a lobbyist give a gift to City Officials?

No. Lobbyists cannot give a gift to City Officials nor can a City Official accept gifts from lobbyists.

9. When would the filing date be if the deadline landed on a weekend?

The following Monday.

10. Will the filing be deemed late if it is post-marked on the due date but arrive after the due date?

No, the filing will not be deemed delinquent if it is post-marked on the due date but arrives after the due date.

11. Do I need to file an amendment if I took on a new client?

Yes, you will need to file an amendment if you took on a new client.

12. Do I need to file an amendment if a client is terminated?

No, you do not need to file an amendment if a client is terminated.